

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA

B. Gary Day,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 3:06-cv-260-MHT
)	
Walter Edward French, III, et al.)	
)	
Defendants.)	

MOTION TO WITHDRAW AS COUNSEL

COMES NOW the undersigned, Sydney S. Smith, and moves to withdraw as Co-Counsel for the Plaintiff, B. Gary Day. In support thereof the undersigned states that her services are no longer needed in conjunction with this matter.

This the 4th day of April, 2006.

SMITH & SMITH, P.C.

BY: /s/Sydney S. Smith
Co-Counsel for Plaintiff
1503 Broad Street
Phenix City, Alabama 36867
(334) 298-2679
ASB-4248-T82S

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2006, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the other counsel of record.

/s/ Sydney S. Smith
Co-Counsel for Plaintiff